FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Miscellaneous Civil Application No. 788/2007
(Jawahar Namdeo Khobragade **VERSUS** Vinodkumar Biharilal Chaurasiya **)**

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Mr. Charpe, Advocate for the applicant.

CORAM : Smt. Vasanti A. Naik, J.
DATE : 23rd August, 2007.

Heard the learned counsel for the applicant.

By this civil application, the applicant seeks restoration of the appeal which was dismissed for not filing the private paper book within the stipulated time.

According to the applicant, the counsel for the appellant was under the bona fide impression that the period of 8 weeks would expire on 23.09.2006 and hence, the paper book was filed in the office on 25.09.2006. However, later on, the appellant came to know that the appeal stood dismissed on 22.09.2006.

A statement is made on behalf of the applicant that the private paper book is already filed in the Court on 25.09.2006.

In view of the aforesaid position, it is necessary to grant the prayer made in this civil application. The civil application is allowed. The Second Appeal No. 284/1997 is restored to file.

The miscellaneous civil application is allowed and disposed of.

The respondent be served on merit.

JUDGE

APTE